

Amendments to the Claims:

This listing of claims replaces all prior versions and listings of claims in the application:

Listing of Claims:

1. (Currently Amended) A surgical ablation instrument comprising:

a housing having a longitudinal lumen, the a distal end of the housing being sufficiently flexible to be bent into a loop configuration;

a connecting element at the distal end of the housing, wherein the connecting element is configured to engage with the housing at a location on the housing proximal of the connecting element to secure the housing in the loop configuration;

an ablation element disposable within the lumen of the housing and having a light transmission surface for transmitting light energy to ablate tissue at a target site;

a fluid channel within the housing for introducing fluid to the ablation element during delivery of the ablation energy; and

a lever for slidably moving the ablation element within the lumen of the housing; wherein the light transmission surface is movable within the lumen upon operation of the lever.

2. (Original) The instrument of claim 1, wherein the fluid is delivered between the ablation element and the housing.

3. (Original) The instrument of claim 1, wherein the housing further includes a handle portion at a proximal end.

4. (Original) The instrument of claim 3, wherein the handle portion includes a fluid inflow port and a fluid carrying lumen for delivering the fluid to the housing.

5. (Original) The instrument of claim 1, wherein the distal end of the housing includes a fluid outflow port for release of the fluid.

6. (Original) The instrument of claim 1, wherein the fluid comprises a material which cools the ablation element during delivery of ablative energy.

7. (Original) The instrument of claim 1, wherein the fluid is a lubricating fluid.

8. (Original) The instrument of claim 1, wherein the fluid comprises a physiologically compatible fluid.

9. (Original) The instrument of claim 8, wherein the fluid is saline.

10. (Currently Amended) A method for ablating a target tissue, comprising the steps of: providing a surgical ablation instrument comprising a housing having a proximal end, a distal end and a longitudinal lumen extending therebetween, the distal end of the housing being sufficiently flexible to be bent into a loop configuration, a connecting element at the distal end of the housing configured to engage with the housing at a location on the housing proximal of the connecting element to secure the housing in the loop configuration, an ablation element disposed

within the lumen of the housing and having a light transmission surface for transmitting light energy to ablate tissue at a target site, and a fluid channel within the housing for introducing fluid to the ablation element during delivery of the ablation energy;

positioning the surgical ablation instrument proximate to a predetermined tissue site, wherein the fluid channel is between the light transmission surface and the target tissue;

engaging the connecting element with the housing at the location on the housing proximal of the connecting element to secure the housing in the loop configuration;

positioning the ablation element within the lumen of the housing by operating a lever located on the surgical ablation instrument; and

transmitting light ablative energy through the housing, such that said target tissue is ablated, coagulated or phototherapeutically modulated without damaging surrounding tissue.

11. (Original) The method of claim 10, further comprising the step of introducing a fluid between the ablation element and the housing during the energy delivery.

12. (Original) The method of claim 11, wherein the fluid comprises a material which cools the ablation element, and the step of introducing a fluid cools the ablation elements during delivery of the ablative energy.

13. (Original) The method of claim 11, wherein the fluid comprises a lubricating fluid, and the step of introducing a fluid lubricates the ablation element during delivery of the ablative energy.

14. (Original) The method of claim 11, further comprising the step of irrigating the target site by releasing the fluid from the housing into the target site.

15. (Original) The method of claim 10, further comprising the step of repeating the steps of positioning and delivering until a composite lesion of a desired shape is formed.

16. (Original) The method of claim 10, wherein the target site is cardiac tissue.

17. (Cancelled)

18. (Previously Presented) An apparatus as defined in claim 1, wherein the ablation device includes at least first, second, third and fourth ablation positions to which the ablation element is slidably positionable for sequential application of ablation energy.

19. (Previously Presented) A method for ablating a target tissue as defined in claim 10, the method further comprising the step of operating the lever to successively move the ablation element to first, second, third and fourth ablation positions and, at each position, applying ablation energy.

20. (Previously Presented) A method for ablating cardiac tissue with a surgical ablation instrument comprising a housing having a proximal end, a distal end and a longitudinal lumen extending therebetween, the distal end of the housing being sufficiently flexible to be bent into a loop configuration, a connecting element at the distal end of the housing configured to engage

with the housing at a location on the housing proximal of the connecting element to secure the housing in the loop configuration, an ablation element disposed within the lumen of the housing and having a light transmission surface for transmitting light energy to ablate tissue at a target site, and a fluid channel within the housing for introducing fluid to the ablation element during delivery of the ablation energy, the method comprising the steps of:

positioning the surgical ablation instrument proximate to a predetermined cardiac tissue site;

engaging the connecting element with the housing at the location on the housing proximal of the connecting element to secure the housing in the loop configuration;

positioning the ablation element within the lumen of the housing by operating a lever located on the surgical ablation instrument; and

transmitting light ablative energy through the housing, such that the cardiac tissue is ablated, coagulated or phototherapeutically modulated without damaging surrounding tissue;

repeating the steps of positioning and delivering until a composite lesion of a desired shape is formed.

21. (Previously Presented) A method for ablating a target tissue as defined in claim 20, the method further comprising the step of operating the lever to successively move the ablation element to first, second, third and fourth ablation positions and, at each position, applying ablation energy.

22. (New) The surgical ablation instrument of claim 1, wherein the connecting element is a U-shaped element configured to be positioned around an outside surface of the housing.

23. (New) The surgical ablation instrument of claim 1, wherein the housing is sufficiently flexible to be bent into a loop configuration with the loop surrounding the pulmonary veins of a human medical patient.

24. (New) The surgical ablation instrument of claim 23, wherein the connecting element is configured to allow relative movement of the connecting element with respect to the housing in a manner that allows the loop configuration to be pulled tight around the pulmonary veins after the loop is placed into position around the pulmonary veins.

25. (New) The method of claim 10, wherein the connecting element is a U-shaped element configured to be positioned around an outside surface of the housing.

26. (New) The method of claim 10, wherein positioning the surgical instrument proximate to the predetermined tissue site includes positioning the housing in a loop configuration surrounding the pulmonary veins of a human medical patient.

27. (New) The method of claim 26, and further comprising moving the connecting element with respect to the housing to tighten the loop configuration around the pulmonary veins after the loop configuration is placed into position around the pulmonary veins.

28. (New) The method of claim 20, wherein the connecting element is a U-shaped element configured to be positioned around an outside surface of the housing.

29. (New) The method of claim 20, wherein positioning the surgical instrument proximate to the predetermined cardiac tissue site includes positioning the housing in a loop configuration surrounding the pulmonary veins of a human medical patient.

30. (New) The method of claim 29, and further comprising moving the connecting element with respect to the housing to tighten the loop configuration around the pulmonary veins after the loop configuration is placed into position around the pulmonary veins.